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in open
court
10/6/04*

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
 v.) CRIMINAL NO. 03-10350-RCL
)
 HABEEB ADEOLA AZEEZ)

JOINT SUBMISSION OF THE PARTIES UNDER L.R. 116.5(C)

Pursuant to Local Rule 116.5(C), the parties state as follows:

(1) Outstanding Discovery

There are no outstanding automatic discovery issues not yet presented to or resolved by the Court.

(2) Additional Discovery

The parties do not anticipate providing any additional discovery, aside from discovery required to be produced at a later date pursuant to the Local Rules governing discovery and Fed. R. Crim. P. 16.

(3) Insanity or Public Authority Defenses

Defendant does not intend to raise a defense of insanity or public authority.

(4) Notice of Alibi Defense

The government has requested notice of alibi, and defendant does not intend to offer an alibi defense.

(5) Motions Requiring Ruling by District Court

There are no further motions requiring a ruling by the District Court known to the parties at this time.

(6) Scheduling and Plea Negotiations

The defendant is awaiting medical records and will continue plea negotiations upon receipt and review of them.

(7) Periods of Excludable Delay

In addition to the periods previously excluded by this Court's orders dated December 3, 2003; January 13, 2004; March 3, 2004; March 17, 2004; April 7, 2004; May 4, 2004; May 27, 2004; June 30, 2004; July 21, 2004; and August 31, 2004 there are thirteen (13) days of non-excludable time under the Speedy Trial Act (December 31, 2003 to January 12, 2004). There are fifty-seven (57) days remaining under the Speedy Trial Act within which this case must be tried.

The parties also hereby request that the period of time between today's status conference, September 6, 2004, and the date of any subsequent status conference be excluded from the calculations of the Speedy Trial Act, in the interests of justice.

(8) Anticipated Length of Trial


It is anticipated that a trial will last one week.

(9) Date for Future Status Conferences

The parties request a further final status conference to resolve the above referenced medical records discovery issue and

to finalize plea discussions.


PAGE KELLEY, Esquire


for defendant HABEEB AZEEZ

By:

Respectfully submitted,

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